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PTQ4918

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ACTION WHA-00

INFO	LOG-00	AID-00	CCO-00	CIAE-00	DODE-00	SRPP-00	EB-00
	VC-00	H-01	TEDE-00	INR-00	INSE-00	IO-00	JUSE-00
	L-00	AC-01	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-00
	PM-00	PRS-00	ACE-00	P-00	SP-00	SSO-00	SS-00
	STR-00	TRSE-00	T-00	USIE-00	PMB-00	PRM-01	DRL-02
	G-00	SAS-00	/008W				

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O 152251Z SEP 00
FM AMEMBASSY LIMA
TO SECSTATE WASHDC IMMEDIATE 6390
INFO AMEMBASSY CARACAS
AMEMBASSY OTTAWA
AMEMBASSY MEXICO
AMEMBASSY QUITO
AMEMBASSY SANTIAGO
AMEMBASSY ASUNCION
AMEMBASSY BUENOS AIRES
AMEMBASSY BRASILIA
AMEMBASSY BOGOTA
AMEMBASSY LA PAZ
USCINCSO MIAMI FL

RELEASED IN PART
B1, 1.5(D)

SECTION 01 OF 02 LIMA 005524

E.O. 12958: DECL 9/14/05
TAGS: PGOV, PREL, PINS, OAS, PHUM, PE
SUBJECT: MONTESINOS BRIBERY SCANDAL: CHARGES, CONGRESS, THE

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STREET, AND THE OAS

REF: LIMA 5498

1. (U) CLASSIFIED BY DCM ROBERTA JACOBSON FOR REASONS 1.5B AND 1.5D.

2. (C) SUMMARY: ACCORDING TO PM SALAS, DE FACTO INTELLIGENCE CHIEF VLADIMIRO MONTESINOS HAS NOTIFIED THE NATIONAL PROSECUTOR OF HIS WILLINGNESS TO COOPERATE WITH ANY INVESTIGATION OF CHARGES AGAINST HIM. IN A MEETING OF CONGRESS' JUSTICE COMMITTEE, THE OPPOSITION REQUESTED THE FORMATION OF AN INVESTIGATIVE COMMITTEE HEADED BY AN OPPOSITION MEMBER, BUT NO ACTION WAS TAKEN. PRESIDENT FUJIMORI WAS EXPECTED TO SPEAK

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UNITED STATES DEPARTMENT OF STATE
REVIEW AUTHORITY: DONALD A. JOHNSTON
DATE/CASE ID: 28 SEP 2001 200004441

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SEPTEMBER 15 REGARDING THE BRIBERY SCANDAL BUT HAD NOT DONE SO
AS OF 1730 LOCAL.

B1

END SUMMARY

CLAIMS AND COUNTER CLAIMS

3. (SBU) PM FEDERICO SALAS TOLD THE PRESS SEPTEMBER 15 THAT DE FACTO INTELLIGENCE CHIEF VLADIMIRO MONTESINOS HAD INFORMED THE NATIONAL PROSECUTOR'S OFFICE SEPTEMBER 14 BY LETTER OF HIS WILLINGNESS TO COOPERATE IN ANY INVESTIGATION OF CHARGES AGAINST HIM. SALAS DENIED THE ALLEGATIONS MADE PUBLIC BY MORAL INDEPENDENCE FRONT LEGISLATOR FERNANDO OLIVERA THAT MONTESINOS HAD PAID PERU POSSIBLE CONGRESSMAN-ELECT ALBERTO KOURI TO JOIN PERU 2000. LEGISLATOR JORGE POLACK, WHO DEFECTED TO RULING
CONFIDENTIAL

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PARTY PERU 2000 RANKS ALONG WITH KOURI, TOLD THE PRESS THAT MONTESINOS HAD NOTHING TO HIDE AND HAD DEMONSTRATED THIS BY DECLARING HIS WILLINGNESS TO COOPERATE. POLACK AGREED CONGRESS SHOULD ESTABLISH A COMMITTEE TO INVESTIGATE. SUBSEQUENTLY, NATIONAL PROSECUTOR BLANCA NELIDA COLAN CONFIRMED SHE HAD RECEIVED MONTESINOS'S LETTER AND HAD FORWARDED IT TO THE PROSECUTOR FOR TAX AND CUSTOMS CRIMES. (COMMENT: IF TRUE, IT IS UNCLEAR WHETHER MONTESINOS WOULD BE INVESTIGATED OR CHARGED WITH THE CRIME OF BRIBING AN ELECTED OFFICIAL.)

LEGISLATORS ACT

4. (SBU) IN A REGULARLY SCHEDULED MEETING OF THE CONGRESSIONAL JUSTICE COMMITTEE, OPPOSITION LEGISLATORS CALLED FOR AN EXTRAORDINARY PLENARY SESSION OF CONGRESS TO APPROVE THE CREATION OF A SPECIAL INVESTIGATIVE COMMISSION HEADED BY AN OPPOSITION MEMBER. OPPOSITION LEGISLATORS ALSO DEMANDED THE ARREST OF MONTESINOS TO PREVENT HIS FLIGHT FROM THE COUNTRY AND THE LIFTING OF THE PARLIAMENTARY IMMUNITY OF ALBERTO KOURI. OPPOSITION MEMBERS CALLED FOR MEASURES TO PROTECT LEGISLATORS WHO HAD BEEN THREATENED FOR THEIR ROLE IN THE RELEASING THE VIDEOTAPE, AND FOR PM SALAS TO TESTIFY BEFORE CONGRESS. PERU 2000 COMMITTEE CHAIRMAN ADJOURNED THE MEETING AFTER NEARLY TWO HOURS OF ACCUSATIONS. PERU 2000 COMMITTEE MEMBERS SAID THEY UNDERSTOOD THE NEED FOR AN INVESTIGATION OF THE SPECIFIC INCIDENT BUT REJECTED CALLS FOR INVESTIGATING THE PRESIDENT. MAJORITY PARTY REPS ALSO ARGUED THAT THE JUSTICE COMMITTEE DID

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NOT HAVE THE JURISDICTION TO CALL A SPECIAL PLENARY SESSION.
CONGRESSIONAL STAFFERS TOLD US THERE WERE NO PLANS FOR CONVOKING
[REDACTED]

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A SPECIAL PLENARY SESSION, AND THAT THE NORMAL PROCEDURE FOR
CREATING AN INVESTIGATIVE COMMITTEE WOULD REQUIRE ACTION BY THE
DIRECTIVE COUNCIL OF CONGRESS, WHICH DOES NOT MEET UNTIL NEXT
WEEK.

5. (SBU) ACCORDING TO EMBASSY CONTACTS, OPPOSITION LEGISLATORS
ARE DEBATING WHETHER TO FILE A FORMAL CRIMINAL COMPLAINT WITH
THE PUBLIC MINISTRY. SEVERAL OPPOSITION LEGISLATORS BELIEVE A
FORMAL COMPLAINT IS IMPORTANT TO INITIATE LEGAL PROCEEDINGS AS
SOON AS POSSIBLE, WHILE OTHERS ARE ARGUING FOR KEEPING THE
INVESTIGATION IN CONGRESS BECAUSE OF THE EXECUTIVE BRANCH'S
DOMINANCE OF THE JUDICIARY.

PROTEST IN THE SQUARE

6. (SBU) BY 1400 LOCAL A SMALL GROUP OF SOME 150 DEMONSTRATORS
HAD GATHERED PEACEFULLY IN LIMA'S CENTRAL SQUARE AND WERE
WASHING PERUVIAN FLAGS AS A SYMBOL OF THE NEED TO CLEAN UP
CORRUPT GOVERNMENT PRACTICES. VARIOUS GROUPS OF OPPOSITION
LEGISLATORS WERE INTERVIEWED ON CABLE TELEVISION "CANAL N" AT
THE SIGHT OF THE PROTEST.

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AMEMBASSY QUITO
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AMEMBASSY ASUNCION
AMEMBASSY BUENOS AIRES
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CIVIL SOCIETY VIEWS

7. (SBU) HUMAN RIGHTS OMBUDSMAN JORGE SANTISTEVAN SAID DURING A RADIO INTERVIEW THAT MONTESINOS SHOULD CEASE HIS PUBLIC DUTIES UNTIL AN INVESTIGATION WAS COMPLETED OF HIS ROLE IN THE BRIBERY SCANDAL. LEGAL EXPERTS FROM THE LIMA BAR ASSOCIATION OPINED THAT CHARGES COULD BE BROUGHT AGAINST KOURI WITHOUT THE FORMALITY OF LIFTING HIS PARLIAMENTARY IMMUNITY BECAUSE THE ALLEGED CRIME OCCURRED BEFORE HE WAS SWORN INTO CONGRESS. ROQUE BENAVIDES, PRESIDENT OF THE USUALLY PRO-GOVERNMENT NATIONAL CONFEDERATION OF BUSINESS ASSOCIATIONS (CONFIEP), ISSUED A STRONG COMMUNIQUE CALLING THE SCANDAL AN AFFRONT TO DEMOCRATIC VALUES. IT NOTES THE PRESIDENT'S RESPONSIBILITY TO EXERCISE LEADERSHIP THAT WILL RESTORE PUBLIC CONFIDENCE. THE MESSAGE ALSO SUPPORTS THE SUSPENSION OF THOSE INVOLVED IN THE SCANDAL, AND CALLS FOR REFORM OF THE INTELLIGENCE SERVICES AND A SPEEDY INVESTIGATION.

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10. (C) COMMENT: THUS FAR, THE OPPOSITION HAS EFFECTIVELY CALLED PUBLIC ATTENTION TO THE GRAVITY OF THE ALLEGED CRIMES. IN LEGAL TERMS, IT IS NOT YET CLEAR WHAT ARE THE ALLEGED CRIMES OR THE LEGAL VENUE. OTHER THAN SALAS'S COMMENTS THAT MONTESINOS IS WILLING TO COOPERATE WITH AN INVESTIGATION, WE ARE STILL AWAITING INDICATION OF THE GOP'S RESPONSE.

HAMILTON
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